"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि.से., भिलाई, दिनांक 30-5-2001."

पंजीयन क्रमांक "छत्तीसगढ़/दुर्ग/तक. 114-009/2003/20-1-03."

छत्तीसगढ़ राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 25] रायपुर, शुक्रवार, दिनांक 22 जून 2007- आषाढ़ 1, शक 1929

भाग 4

विषय - सूची

भाग 4 (क) - कुछ नहीं

भाग 4 (ख)

संसद के अधिनियम

GOVERNMENT OF CHHATTISGARH
LAW AND LEGISLATIVE AFFAIRS DEPARTMENT

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part - II, Section I, The Central Sales Tax (Amendment) Act, 2001 (Act No. 41 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 11th Sep. 2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE CENTRAL SALES TAX (AMENDMENT) ACT, 2001

An Act further to amend the Central Sales Tax Act, 1956.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title and Commencement.

1. (1) This Act may be called the Central Sales Tax (Amendment) Act, 2001.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 13.

2. In the Central Sales Tax Act, 1956 (hereinafter referred to as the principal Act), in section 13, in sub-section (1), after clause (g), the following clauses shall be inserted, namely :— **74 of 1956.**

"(h) the proper functioning of the Authority constituted under section 19;

(i) the salaries and allowances payable to, and the terms and conditions of service of, the Chairman and Members under sub-section (3) of section 19;

(j) any other matter as may be prescribed.".

Insertion of new Chapter after Chapter V.

3. After Chapter V of the principal Act, the following Chapter shall be inserted, namely :—

'CHAPTER VI

AUTHORITY TO SETTLE DISPUTES IN COURSE OF INTER-STATE TRADE OR COMMERCE

Central Sales Tax Appellate Authority.

19. (1) The Central Government shall constitute, by notification in the Official Gazette, an Authority to settle inter-State disputes falling under section 6A or section 9 of this Act, to be known as "the Central Sales Tax Appellate Authority (hereinafter referred to as the Authority)".

(2) The Authority shall consist of the following Members appointed by the Central Government, namely :—

(a) a Chairman, who is a retired Judge of the Supreme Court, or a retired Chief Justice of a High Court;

(b) an officer of the Indian Legal Service who is, or is qualified to be, an Additional Secretary to the Government of India; and

(c) an officer of a State Government not below the rank of Secretary or an officer of the Central Government not below the rank of Additional Secretary, who is an expert in sales tax matters.

(3) The salaries and allowances payable to, and the terms and conditions of service of, the Chairman and Members shall be such as may be prescribed.

(4) The Central Government shall provide the Authority with such officers and staff as may be necessary for the efficient exercise of the powers of the Authority under this Act.

Appeals.

20. (1) The provisions of this Chapter shall apply to appeals filed by the aggrieved dealer against any order of the assessing authority made under section 6A or section 9 of this Act.

(2) Notwithstanding anything contained in the general sales tax laws, the Authority shall-adjudicate an appeal filed by a dealer aggrieved against any order of the assessing authority rejecting his claim under section 6A or section 9 of this Act.

(3) An appeal against the order of the assessing authority rejecting the claim of the dealer under section 6A or section 9 of this Act may be filed by the aggrieved dealer within forty-five days from the date on which the order is served on him:

Provided that the Authority may entertain any appeal after the expiry of the said period of forty-five days, but not later than sixty days, from the date aforesaid if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) The application shall be made in quadruplicate and be accompanied by a fee of five thousand rupees.

Procedure on receipt of application.

21. (1) On receipt of an appeal, the Authority shall cause a copy thereof to be forwarded to the assessing authority concerned and to call upon it to furnish the relevant records :

Provided that such records shall, as soon as possible, be returned to the assessing authority.

(2) The Authority shall adjudicate and decide upon the appeal filed against an order of the assessing authority.

(3) The Authority, after examining the appeal and the records called for, by order, either allow or reject the appeal:

Provided that no appeal shall be rejected unless an opportunity has been given to the appellant of being heard in person or through a duly authorised representative :

Provided further that whether an appeal is rejected or accepted, reasons for such rejection or acceptance shall be given in the order.

(4) The Authority shall make an endeavour to pronounce its order in writing within six months of the receipt of the appeal.

(5) A copy of every order made under sub-section (3) shall be sent to the appellant and to the assessing authority.

Powers of the Authority.

22. (1) The Authority shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely :— **5 of 1908.**

(a) enforcing the attendance of any person, examining him on oath or affirmation;

(b) compelling the production of accounts and documents;

(c) issuing commission for the examination of witnesses;

(d) the reception of evidence on affidavits;

(e) any other matter which may be prescribed.

(2) Every proceeding before the Authority shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Authority shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. **45 of 1908.** **2 of 1974.**

23. The Authority shall, subject to the provisions of this Chapter, have power to regulate its own procedure in all matters arising out of the exercise of powers under this Act.

Procedure of Authority.

24. (1) Notwithstanding anything contained in any other law for the time being in force and in section 19 of this Act, the Authority for Advance Rulings constituted under section 245-O of the Income-tax Act, 1961 shall be notified by the Central Government in the Official Gazette, with such modifications as may be necessary, to make its composition in conformity with section 19 of this Act, as the Authority under this Act till such time an Authority is constituted under that section.

43 of 1961.

Authority for Advance Rulings to function as Authority under this Act.

(2) On and from the date of the constitution of the Authority in accordance with the provisions of section 19 of this Act, the proceedings pending with the Authority for Advance Rulings shall stand transferred to the Authority constituted under that section from the stage at which such proceedings stood before the date of constitution of the said Authority.

25. On and from the date when the Authority is constituted under section 19, every appeal arising out of the provisions contained in this Chapter—

Transfer of pending proceedings.

(i) which is pending immediately before the constitution of such Authority before the appellate authority constituted under the general sales tax law of a State or of the Union territory, as the case may be; or

(ii) which would have been required to be taken before such appellate Authority, shall stand transferred to such Authority on the date on which it is established.

26. An order passed by the Authority under this Chapter shall be binding on the assessing authorities and other authorities created by or under any law relating to general sales tax, in force for the time being in any State or Union territory.'.

Applicability of order passed.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part - II, Section I, The Appropriation (No. 3) Act, 2001 (Act No. 42 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 11th Sep. 2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE APPROPRIATION (No. 3) ACT, 2001

An Act to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2001 -2002.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title. 1. This Act may be called the Appropriation (No. 3) Act, 2001.

Issue of Rs. 3709, 37,00,000 out of the Consolidated Fund of India for the year 2001-2002. 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of three thousand seven hundred and nine crores and thirty-seven lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2001-2002 in respect of the services specified in column 2 of the Schedule.

Appropriation. 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Department of Agriculture and Co-operation................ Revenue	100,01,00,000	..	100,01,00,000
	Capital	..	5,00,00,000	5,00,00,000
3	Department of Animal Husbandry and Dairying................ Revenue	3,88,00,000	..	3,88,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
4	Department of Food Processing Industries . . . . Revenue	1,00,000	..	1,00,000
5	Department of Chemicals and Petrochemicals . . . . Capital	44,89,00,000	..	44,89,00,000
6	Department of Fertilisers . . . . Capital	26,76,00,000	..	26,76,00,000
9	Department of Commerce . . . Revenue	20,87,00,000	..	20,87,00,000
11	Department of Posts . . . . Revenue	1,00,000	..	1,00,000
20	Department of Disinvestment . Revenue	4,50,00,000	..	4,50,00,000
	Capital	23,00,000	..	23,00,000
21	Ministry of Environment and Forests . . Revenue	100,01,00,000	..	100,01,00,000
	Capital	1,00,000	..	1,00,000
22	Ministry of External Affairs . . Revenue	2,00,000	..	2,00,000
25	Payments to Financial Institutions . . . . . Capital	400,00,00,000	..	400,00,00,000
27	Transfers to State and Union territory Governments . . . . Capital	..	500,00,00,000	500,00,00,000
34	Direct Taxes . . . . Capital	2,00,000	..	2,00,000
36	Department of Consumer Affairs . . Capital	3,27,00,000	..	3,27,00,000
45	Transfers to Union territory Governments . . . . Revenue	3,46,00,000	..	3,46,00,000
48	Department of Women and Child Development . . . . Revenue	1,00,000	..	1,00,000
50	Department of Heavy Industry . . Capital	801,93,00,000	..	801,93,00,000
51	Ministry of Information and Broadcasting . . . . Revenue	1,00,00,000	..	1,00,00,000
52	Ministry of Information Technology . . . Revenue	1,00,000	..	1,00,000
58	Ministry of Mines . . . . Capital	26,01,00,000	..	26,01,00,000
59	Ministry of Non-Conventional Energy Sources . . . . Capital	10,00,000	..	10,00,000
61	Ministry of Personnel, Public Grievances and Pensions . . . . Revenue	2,00,00,000	..	2,00,00,000
62	Ministry of Petroleum and Natural Gas Capital	169,30,00,000	..	169,30,00,000
64	Ministry of Power . . . . Revenue	326,41,00,000	..	326,41,00,000
65	Department of Rural Development . . . . Revenue	271,52,00,000	..	271,52,00,000
69	Department of Scientific and Industrial Research . . . . Capital	15,00,000	..	15,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
70	Department of Bio-technology..Revenue	1,00,000	..	1,00,000
73	Ministry of Steel .... Revenue	36,78,00,000	..	36,78,00,000
	Capital	1,00,000	..	1,00,000
76	Ministry of Textiles .... Revenue	1,00,000	..	1,00,000
	Capital	1,55,00,000	..	1,55,00,000
78	Department of Culture ...... Revenue	74,25,00,000	..	74,25,00,000
80	Department of Urban Development. . . Capital	782,35,00,000	.....	782,35,00,000
81	Public Works .... Capital	1,00,000	..	1,00,000
83	Department of Urban Employment and Poverty Alleviation .... Capital	3,00,00,000	..	3,00,00,000
84	Ministry of Water Resources ... Revenue	1,00,000	..	1,00,000
	Total	3204,37,00,000	505,00,00,000	3709,37,00,000

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part - II, Section I, The Salaries and allowances of Ministers (Amendment) Act 2001 (Act No. 44 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 11-09-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE SALARIES AND ALLOWANCES OF MINISTERS (AMENDMENT) ACT, 2001

An Act further to amend the Salaries and Allowances of Ministers Act, 1952.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title and commencement. 1. (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 2001.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

58 of 1952.

2. For section 5 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

Substitution of new section for section 5.

"5. There shall be paid a sumptuary allowance to each Minister at the following rates; namely :—

Sumptuary allowance to Ministers.

(a) the Prime Minister	Rupees three thousand per mensem;
(b) every other Minister who is a member of the Cabinet.	Rupees two thousand per mensem;
(c) a Minister of State	Rupees one thousand per mensem;
(d) a Deputy Minister	Rupees six hundred per mensem.".

3. In section 6 of the principal Act, for sub-section (1A), the following sub-section shall be substituted, namely :—

Amendment of section 6.

"(1A) A Minister shall be entitled to travelling allowance in respect of not more than twelve return journeys performed, during each year, within India, for himself and his family, whether travelling together or separately at the same rates at which travelling allowance is payable to such Minister under clause (b) of sub-section (1) in respect of tours referred to in that clause, subject to the overall entitlement of forty-eight single journeys in each year.".

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part - II, Section I, The Manipur Appropriation (Vote on Account) Act, 2001 (Act No. 43 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 11th Sep. 2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE MANIPUR APPROPRIATION (VOTE ON ACCOUNT) ACT, 2001

An Act to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Manipur for the services of a part of the financial year 2001-02.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title. 1. This Act may be called the Manipur Appropriation (Vote on Account) Act, 2001.

Withdrawal of Rs. 811,52,19,333 from and out of the Consolidated Fund of the State of Manipur for the financial year 2001-02. 2. From and out of the Consolidated Fund of the State of Manipur there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of eight hundred and eleven crores, fifty-two lakhs, nineteen thousand, three hundred and thirty-three rupees towards defraying the several charges which will come in course of payment during the financial year 2001-02.

Appropriation. 3. The sums authorised to be withdrawn from and out of the Consolidated Fund of the State of Manipur by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

1	2	3		
No. of Vote/ Appro-priation	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	State Legislature			
	(Revenue Expenditure)	2,22,60,333	3,16,333	2,25,76,666
2	Council of Ministers			
	(Revenue Expenditure)	66,31,000	..	66,31,000
	Governor			
	(Revenue Expenditure)	..	46,61,333	46,61,333
	Interest Payment and Debt Services			
	(Revenue Expenditure)	..	52,94,67,333	52,94,67,333
	(Other Expenditure)	..	284,07,70,667	284,07,70,667

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
	Manipur Public Service Commission (Revenue Expenditure)	..	34,65,000	34,65,000
3	Secretariat			
	(Revenue Expenditure)	5,97,50,667	..	5,97,50,667
4	Land Revenue, Stamps and Registration and District Administration.			
	(Revenue Expenditure)	8,65,82,333	..	8,65,82,333
5	Finance Department,			
	(Revenue Expenditure)	32,27,83,667	667	32,27,84,334
	(Other Expenditure)	11,00,000	..	11,00,000
6	Transport			
	(Revenue Expenditure)	57,83,667	..	57,83,667
7	Police			
	(Revenue Expenditure)	49,88,95,000	..	49,88,95,000
	(Other Expenditure)	66,66,667	..	66,66,667
8	Public Works Department			
	(Revenue Expenditure)	23,60,49,333	2,83,333	23,63,32,666
	(Other Expenditure)	12,20,86,667	..	12,20,86,667
9	Information and Publicity			
	(Revenue Expenditure)	69,08,000	..	69,08,000
10	Education			
	(Revenue Expenditure)	83,59,45,000	..	83,59,45,000
	(Other Expenditure)	13,33,333	..	13,33,333
11	Medical, Health and Family Welfare Services.			
	(Revenue Expenditure)	23,53,36,000	..	23,53,36,000
	(Other Expenditure)	3,33,333	..	3,33,333
12	Municipal Administration, Housing and Urban Development.			
	(Revenue Expenditure)	1,24,45,000	..	1,24,45,000
	(Other Expenditure)	5,14,01,333	..	5,14,01,333
13	Labour and Employment			
	(Revenue Expenditure)	1,11,74,667	..	1,11,74,667
14	Development ofTribal and Scheduled Castes.			
	(Revenue Expenditure)	19,16,47,667	..	19,16,47,667
15	Food and Civil Supplies			
	(Revenue Expenditure)	1,71,76,000	..	1,71,76,000
	(Other Expenditure)	1,00,00,000	..	1,00,00,000
16	Co-operation			
	(Revenue Expenditure)	2,55,72,000	..	2,55,72,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
	(Other Expenditure)	333	..	333
17	Agriculture			
	(Revenue Expenditure)	6,33,34,667	..	6,33,34,667
	(Other Expenditure)	44,33,334	..	44,33,334
18	Animal Husbandry and Veterinary including Dairy Farming			
	(Revenue Expenditure)	7,52,62,333	..	7,52,62,333
19	Environment and Forest			
	(Revenue Expenditure)	5,86,62,667	..	5,86,62,667
20	Community Development and ANP, IRDP and NREP			
	(Revenue Expenditure)	7,01,38,333	..	7,01,38,333
	(Other Expenditure)	6,66,66,667	..	6,66,66,667
21	Commerce and Industries and Weights and Measures Department			
	(Revenue Expenditure)	4,78,44,333	..	4,78,44,333
	(Other Expenditure)	12,66,667	..	12,66,667
22	Public Health Engineering			
	(Revenue Expenditure) . . .	7,08,07,667	..	7,08,07,667
	(Other Expenditure)	14,27,80,333	..	14,27,80,333
23	Power			
	(Revenue Expenditure)	38,20,00,000	..	38,20,00,000
	(Other Expenditure)	7,00,01,334	..	7,00,01,334
24	Vigilance Department			
	(Revenue Expenditure)	23,17,667	..	23,17,667
25	Youth Affairs and Sports Department			
	(Revenue Expenditure)	2,66,46,333	..	2,66,46,333
	(Other Expenditure)	34,66,667	..	34,66,667
26	Administration of Justice			
	(Revenue Expenditure)	2,06,66,333	43,45,000	2,50,11,333
27	Election			
	(Revenue Expenditure)	49,11,000	..	49,11,000
28	State Excise			
	(Revenue Expenditure)	2,04,35,333	..	2,04,35,333
29	Sales Tax, other Taxes/Duties on Commodities and Services.			
	(Revenue Expenditure)	50,16,667	..	50,16,667
30	General Economic Services and Planning			
	(Revenue Expenditure)	4,61,40,333	..	4,61,4(

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
31	Fire Protection and Control			
	(Revenue Expenditure)	1,10,58,000	..	1,10,58,000
32	Jails			
	(Revenue Expenditure)	1,64,61,667	..	1,64,61,667
33	Home Guards			
	(Revenue Expenditure)	1,40,78,333	..	1,40,78,333
34	Rehabilitation			
	(Revenue Expenditure)	25,43,333	..	25,43,333
35	Stationery and Printing			
	(Revenue Expenditure)	84,68,333	..	84,68,333
36	Minor Irrigation			
	(Revenue Expenditure)	2,99,61,333	..	2,99,61,333
	(Other Expenditure)	3,50,66,667	..	3,50,66,667
37	Fisheries			
	(Revenue Expenditure)	2,59,35,333	..	2,59,35,333
	(Other Expenditure)	41,333	..	41,333
38	Panchayat			
	(Revenue Expenditure)	1,58,33,000	..	1,58,33,000
39	Sericulture			
	(Revenue Expenditure)	2,31,92,000	..	2,31,92,000
	(Other Expenditure)	15,51,33,333	..	15,51,33,333
40	Irrigation and Flood Control Department.			
	(Revenue Expenditure)	8,70,06,667	..	8,70,06,667
	(Other Expenditure)	18,83,50,000	..	18,83,50,000
41	Art and Culture			
	(Revenue Expenditure)	93,37,000	..	93,37,000
	(Other Expenditure)	1,49,33,334	..	1,49,33,334
42	State Academy of Training			
	(Revenue Expenditure)	17,31,333	..	17,31,333
43	Horticulture and Soil Conservation			
	(Revenue Expenditure)	4,85,94,333	..	4,85,94,333
	(Other Expenditure)	8,33,333	..	8,33,333
44	Social Welfare Department			
	(Revenue Expenditure)	7,18,53,667	..	7,18,53,667
45	Tourism			
	(Revenue Expenditure)	27,81,667	..	27,81,667
	(Other Expenditure)	40,35,333	..	40,35,333

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
46	Science and Technology (Revenue Expenditure)	82,53,000	..	82,53,000
47	Welfare of Minorities and Other Back-ward Classes	57,66,667	...	57,66,667
	Total	473,19,09,667	338,33,09,666	811,52,19,333

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part - II, Section I, The Companies (Amendment) Ordinance, 2001 (Ordinance No. 7 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 23-10-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 23rd October, 2001/Kartika 1. 1923 (Saka)

THE COMPANIES (AMENDMENT) ORDINANCE, 2001
No. 7 OF 2001

Promulgated by the President in the Fifty-second Year of the Republic of India.

An Ordinance further to amend the Companies Act, 1956.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Companies (Amendment) Ordinance, 2001.

Short title and Commencement.

(2) It shall come into force at once.

1 of 1956.

2. In section 77A of the Companies Act, 1956 (hereinafter referred to as the principal Act),-

Amendment of section of section 77A.

(a) in sub-section (2), in clause (b), the following shall be inserted, namely :—

"Provided that nothing contained in this clause shall apply in any case where-

(A) the buy-back is or less than ten per cent. of the total paid-up equity capital and free reserves of the company; and

(B) such buy-back has been authorised by the Board by means of a resolution passed at its meeting :

Provided further that no offer of buy-back shall be made within a period of three hundred and sixty-five days reckoned from the date of the preceding offer of buy-back, if any.

Explanation.- For the purposes of this clause, the expression "offer of buy-back" means the offer of such buy-back made in pursuance of the resolution of the Board referred to in the first proviso;';

(b) in sub-section (4), for the words "special resolution"; the words "special resolution or a resolution passed by the Board" shall be substituted;

(c) in sub-section (6), after the words, brackets, letter and figure "special resolution under clause (b) of sub-section (2)"; the words, brackets and letter "or the Board has passed a resolution under the first proviso to clause (b) of that sub-section" shall be inserted;

(d) in sub-section (8), for the words "within a period of twenty-four months", the words "within a period of six months" shall be substituted.

3. In section 292 of the principal Act, in sub-section (1), after clause (a), the following clause shall be inserted, namely:-

Amendment of section 292.

'(aa) the power to authorise the buy-back referred to in the first proviso to clause (b) of sub-section (2) of section 77A;".

K. R. NARAYANAN,
President.

SUBHASH C. JAIN,
Secy. to the Govt. of India.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part - II, Section I, The Passports (Amendment) Ordinance 2001 (Ord. No. 08 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 23rd Oct. 2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 23rd October, 2001/Kartika 1, 1923 (Saka)

THE PASSPORTS (AMENDMENT) ORDINANCE, 2001
No. 8 of 2001

Promulgated by the President in the Fifty-second Year of the Republic of India.

An Ordinance further to amend the Passports Act, 1967.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Passports (Amendment) Ordinance, 2001.

(2) It shall come into force at once.

15 of 1967.

Insertion of new sections 10A and 10B.

2. After section 10 of the Passports Act, 1967, the following sections shall be inserted, namely :—

Suspension of passports or travel documents in certain cases.

'10A. (1) Without prejudice to the generality of the provisions contained in section 10, if the Central Government or any designated officer is satisfied that the passport or travel document is likely to be impounded or caused to be impounded or revoked under clause (c) of sub-section (3) of section 10 and it is necessary in the public interest so to do, it or he may, -

(a) by order, suspend, with immediate effect, any passport or travel document;

(b) pass such other appropriate order which may have the effect of rendering any passport or travel document invalid,

for a period not exceeding four weeks:

Provided that the Central Government or the designated officer may, if it or he considers appropriate, extend, by order and for reasons to be recorded in writing, the said period of four weeks till the proceedings relating to variation, impounding or revocation of passport or travel document under section 10 are concluded:

Provided further that no order under this sub-section shall be passed unless a notice in writing to show cause has been issued to the holder of the passport or travel document :

Provided also that the Central Government or the designated officer may, for reasons to be recorded in writing and in the public interest, waive the requirement of issue of notice referred to in the second proviso:

Provided also that every holder of the passport or travel document, in respect of whom an order under this sub-section had been passed without giving him a prior notice, shall subsequently be given an opportunity of being heard and thereupon the Central Government may, if necessary, by order in writing, modify or revoke the order passed under this sub-section.

(2) The designated officer shall immediately communicate the orders passed under sub-section (1), to the concerned authority at an airport or any other point of embarkation or, immigration, and to the passport authority.

(3) Every authority referred to in sub-section (2) shall, immediately on receipt of the order passed under sub-section (1), give effect to such order.

Validation of intimations.

10B. Every intimation, given by the Central Government or the designated officer, before the commencement of the Passports (Amendment) Ordinance, 2001, to any immigration authority at an airport or any other point of embarkation or immigration, restricting or in any manner prohibiting the departure from India of any holder of the passport or travel document under sub-section (3) of section 10, shall be deemed to be an order under sub-section (1) of section 10A and such order shall continue to be in force for a period of three months from the date of commencement of the Passports (Amendment) Ordinance, 2001 or the date of giving such intimation, whichever is later.

Explanation.- For the purposes of sections 10A and 10B, the expression "designated officer" means such officer or authority designated, by order in writing, as such by the Central Government or the State Government.'.

K. R. NARAYANAN,
President.

SUBHASH C. JAIN,
Secy. to the Govt. of India.

भाग 4 (ग) - कुछ नहीं

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित -2007.